SHOREVIEW PLANNING COMMISSION MEETING MINUTES October 27, 2015

CALL TO ORDER

Chair Solomonson called the October 27, 2015 Shoreview Planning Commission meeting to order at 7:00 p.m.

ROLL CALL

The following Commissioners were present: Chair Solomonson; Commissioners Doan, Ferrington, McCool, Peterson, Schumer, and Thompson.

APPROVAL OF AGENDA

MOTION: by Commissioner Schumer, seconded by Commissioner Thompson to approve the

October 27, 2015 Planning Commission meeting agenda as presented.

VOTE: Ayes - 7 Nays - 0

APPROVAL OF MINUTES

MOTION: by Commissioner Schumer, seconded by Commissioner Ferrington to approve the September 22, 2015 Planning Commission meeting minutes as presented.

VOTE: Ayes - 6 Nays - 0 Abstain - 1 (Thompson)

Commissioner Thompson abstained as she did not attend the September 22, 2015 meeting.

REPORT ON CITY COUNCIL ACTIONS

Presentation by City Planner Kathleen Castle

The City Council approved the preliminary plat as recommended by the Commission for the new Ramsey County Library.

NEW BUSINESS

VARIANCE

FILE NO: 2593-15-36

APPLICANT: MICHAEL & KARIN MELOCH

LOCATION: 756 COUNTY ROAD I

Presentation by Senior Planner Rob Warwick

This variance request is to expand an existing legal non-conforming detached accessory structure. The structure is currently 448 square feet. When rebuilt and enlarged, it would be 672 square feet. The added space will be 2 feet on the west and 8 feet on the south side of the existing garage.

The property consists of approximately 0.8 acres and is a standard riparian lot. The lot width at the front property line on County Road I is 170 feet and 120 feet at the Ordinary High Water mark (OHW). The property is developed with a house and attached two-car garage with a horseshoe drive. There is also a small shed on the lake side and a detached garage. The detached garage has a setback of 5.5 feet from the front lot line to County Road I and a 4.4 foot setback from the east side lot line. The encroachment into the setback to the north will be increased by approximately 4 inches with the expansion resulting in a setback of 5.2 feet. At the southeast corner the setback will also be reduced by approximately 3 inches, which reduces the side setback to 4.1 feet. Code required setbacks are 5 feet from the east side lot line and 20 feet from the front north lot line. The detached garage is a legal non-conforming structure.

The foundation area of the house is 2150 square feet. Existing accessory structures total 1061 square feet or just under half the square footage of the foundation area. The proposed expansion would increase accessory structure square footage to 1285, or 59.8% of the house foundation area. The larger garage will be used for personal storage.

It is not known when the existing detached garage was constructed. A 10-foot by 20-foot addition was built in 1981. The area exceeds the permitted floor area specified by current code. While it is a legal non-conforming structure, any expansion must conform to current Code. With a 2-car attached garage to the house, a new detached structure is limited to 288 square feet with a Conditional Use Permit. Therefore, the following variances are requested:

- Increase the floor area of the existing 448 square foot detached garage to 672 square feet;
- Increase the total floor area of all accessory structures to 1285 square feet;
- Reduce the front setback to 5.2 feet and the side setback to 4.1 feet.

The applicant plans to use the current location for the new detached garage. Lot coverage on a riparian lot is 25% but can be increased to 40% if there are no structures in the Shore Impact Zone, and runoff from less than half the property drains directly to the lake. This property meets both those conditions, and so increasing impervious surface to 29% with the detached garage expansion is allowed.

Two practices of shoreland mitigation are required. The applicants have identified architectural mass and infiltration. An infiltration basin will be installed near the garage to manage storm water runoff onsite. The existing home has an exterior brick. Brick will not be used for the new detached garage, but the exterior materials will match the existing home. The detached garage is screened with a berm and landscaping, which will be retained.

The applicant's statement to justify the variances is that the existing detached garage is in poor condition and that expansion of the attached garage is not possible because the current 10.4 foot setback limits any potential for an addition on the east side. Expansion to the west would interfere with living area, and an expansion toward the street would negatively alter the appearance of the property. The large lake lot results in the need for increased storage for water and yard equipment.

Staff identifies that the requested 1285 square feet of accessory structure area is less than 60% of the dwelling foundation area, so the house will continue to be the dominant visual feature of the property. The combined circumstances of a large riparian lot and and existing non-conforming garage are unique circumstances. Detached garages are common on riparian lots along County Road I, and so the character of the neighborhood will not be changed.

Property owners within 150 feet were notified of the application. No comments have been received. There are no objections from either Ramsey County Public Works or Rice Creek Watershed District. A Rice Creek Watershed District permit is required only if more than 10,000 square feet of land is disturbed. The Building Official has noted that construction within 5 feet of a property line must meet certain Building Code standards.

Staff finds that there is practical difficulty and that the proposal complies with the intent of the Code. Approval is recommended with the conditions listed with the motion.

Commission Discussion

Commissioner McCool asked if any consideration was given to removing the smaller shed by the lake in exchange for the expansion. Mr. Warwick responded that the applicants do not wish to remove the small shed, as they use it for lifejackets for their children. He would be more supportive if the small lakeside storage structure were removed. He would like to see the total accessory structure square footage remain at 1200 or less to conform with City Code. He is not concerned about the size of the garage, but his concern is exceeding the limit of 1200 square feet total. The size of the garage could be 24 feet by 24 feet, keep the small shed and be in compliance. He is not so concerned about the 5-foot setback because of the trees that screen the area.

Commissioner Ferrington asked if consideration was given to moving the location of the detached garage closer to the house and closing off one of the access points for the existing horseshoe drive from County Road I. Then only one variance for the size would be needed. **Mr. Mike Meloch**, Applicant, responded that moving the garage further west would interfere with the driveway access. The circular drive is very convenient and provides parking for group

gatherings. If the detached garage were moved to the west side, there is very little tree cover and it would stand out. Also, there is a large tree they would like to save. He commended Mr. Warwick for his help and work on this application.

Commissioner Ferrington asked if a second story is considered an expansion. City Attorney Kelly agreed that a second story would be an expansion. Mr. Warwick added that the non-conformity expansion of a second story would not comply with City Code and cannot be permitted. To maintain legal non-conformity, the structure would have to be rebuilt in the exact location to the exact size and dimensions as it exists now.

Commissioner Ferrington suggested moving the garage to the west and plant trees for screening. **Mr. Meloch** responded that the garage would then be close to his neighbors. Keeping it on the east side of the lot keeps the setback encroachment toward a vacant lot. Also, the widened driveway provides easy access to the garage with boats and vehicles.

Commissioner Ferrington stated that exceeding the total accessory structure area of the required 1200 feet is an issue for her. Also, when the detached garage is rebuilt, she would like to at least see the side setback increased to the conforming 5 feet.

Chair Solomonson asked when the two accesses to County Road I were granted. Mr. Warwick explained that the two accesses were granted through a Ramsey County permit before the City had any regulations regarding two driveway access points. He noted that because of the lot width, Code would allow two driveway accesses. Chair Solomonson agreed with moving the new garage slightly to conform to a side yard setback of 5 feet. City Attorney Kelly noted that if the garage were rebuilt on the exact same footprint and not expanded it could be rebuilt as a legal non-conforming structure. With an expansion, variances are needed because the structure is no longer legally non-conforming.

Chair Solomonson stated that his issue with the application is the expansion, even though he understands the uniqueness of the situation. If the small shed were removed, the total accessory structure area would be closer to 1200 square feet and easier to support. The trade for the larger garage is to remove the small lakeside shed. He would also like to see a shift to the west to achieve the required 5-foot setback.

Commissioner Peterson noted that if the garage were expanded to 587 square feet, it could be moved to comply with the side yard setback of 5 feet. What is requested is so close to being in compliance. He agreed with making a change for a 5-foot side setback. He asked what would be lost if the expansion were 587 square feet. Mr. Meloch agreed that could be an option but would, but he would prefer the planned garage of 20 feet by 28 feet, which is easier to build. Commissioner Peterson stated that at some time the vacant lot will be developed and be impacted by this garage. The square footage is close to being in compliance and he would like to see it changed to the limit of 1200 square feet.

Commissioner Thompson stated that she agrees with staff and supports the proposal. The applicant has looked at a number of alternatives on his property. If it would be possible, she would like to see the elimination of the added 4-inch encroachment on each side.

Commissioner Doan agreed with reaching compliance of a 5-foot side setback because it is so close. At some point the vacant lot will be developed. He is open to considering the amount of 1285 square feet of storage space based on the fact that the property meets the three variance criteria. He would not want to see the garage moved to the west side of the lot because that would increase impervious surface on this property. While removing the small lakeside shed would achieve compliance of 1200, he does not believe it changes anything other than practical use for the applicant.

Commissioner Schumer stated that he supports staff's findings. While he would like to see the garage smaller, he believes the applicant has researched well the options and he will support it. He would not want to see it moved to the west side where it would be close to a neighbor.

MOTION: by Commissioner Schumer, seconded by Commissioner Thompson to adopt resolution 15-98 approving the variances to permit re-building a detached accessory structure located at 756 County Road I:

- To reduce the front 5.2 feet and adhere to the 5-foot minimum side setback required for an accessory structure;
- To increase the floor area of the detached accessory structure from 448-square feet to 672-square feet; and
- To increase the total floor area of all accessory structures from 1,200-square feet to 1,285-square feet.

This approval is subject to the following conditions:

- 1. The project must be completed in accordance with the plans submitted as part of the Variance application. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
- 2. The enlarged garage shall conform to the required 5-foot side setback from the east side lot line.
- 3. This approval will expire after one year if a building permit has not been issued and work has not begun on the project.
- 4. This approval is subject to a 5-day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity begins.
- 5. A Mitigation Affidavit shall be executed prior to the issuance of a building permit for the addition.
- 6. The applicants shall submit a landscape plan the shows the existing and proposed landscaping used to screen the garage from the north and east. The existing vegetation will be enhanced with a minimum of two conifer trees or shrubs. The landscape plan is subject to the approval of the City Planner.
- 7. Use of the accessory structure shall be for personal use only and no commercial use is permitted.

This approval is based on the following findings:

- 1. The proposed improvement is consistent with the policies of the Comprehensive Plan, including the Land Use and Housing Chapters.
- 2. The proposed detached detached accessory structure and the total floor area of all accessory structures represent a reasonable use of the property which is located in the R-1 Detached Residential District and Shore land Overlay District.

Discussion:

Chair Solomonson stated that he would like the motion to include compliance with the 5-foot side yard setback.

AMENDMENT MOTION: by Commissioner Doan, seconded by Commissioner Peterson to amend the motion for the variance to allow the front setback to be 5.2 feet or more, but modify the motion to require the side yard setback to conform to the City's standard of 5 feet.

VOTE: Ayes - 6 Nays - 1 (Schumer)

Mr. Meloch agreed to comply with the 5-foot setback.

Commissioner McCool stated that while he supports the amendment, he would like to see other changes made to the plan to make the variances easier to support. He would support tabling this matter so the applicant can bring a revised plan.

VOTE ON AMENDED MOTION:

Ayes - 5 Nays 2 (McCool, Peterson)

VARIANCE/ MINOR SUBDIVISION*

FILE NO: 2594-15-37

APPLICANT: GERALD & LINDA WALSH LOCATION: 175 SHERWOOD ROAD

Presentation by City Planner Kathleen Castle

This application is to subdivide the subject property into two parcels for single-family use. The property is located in and R1 District and is within the Shore land Management District of Poplar Lake. Minimum lot standards are more stringent in a Shore land Management District. The variances needed are:

- To reduce the minimum 40,000 square foot lot area to 28,749.6 for Tract B
- To reduce the minimum 125-foot lot width requirement to 115 feet for Tract B and 34.99 feet for Tract A.

The property consists of 1.74 acres with a lot width of 149.99 feet. The lot depth is 535.68 feet. It is currently developed with a single-family home with attached garage and other detached accessory structures on Tract A. The property is adjacent to Poplar Lake County Park. Tract A is developed with a single-family home and improvements with direct access on Sherwood Road. Tract B would be the new parcel for future single-family home development.

The Comprehensive Plan designates the property for low density residential use. The Development Code requires municipal sanitary sewer and water connection available through the City. Drainage and utility easements must be identified. The property is zoned R1, Detached Residential. Tracts A and B will be a key lots with side and rear lot lines abutting each other. A home on Tract B would require a variance from the front yard structure setback requirements. Future front yard setback variance determined by the existing home at 175 Sherwood at 388.87 and the vacant the County Park property--the permitted range is 196.91 feet to 216.91 feet. The lot depth of 248.57 feet restricts the building pad area, but there is sufficient area to support a single-family home. Tract A requires a variance to reduce the 125-foot lot width to 34.99 feet.

The applicant states that a proposed single-family residential use is reasonable. The property is unique because it is adjacent to Poplar Lake. The subdivision is compatible with the neighborhood. Staff finds that practical difficulty is present. Single-family residential use is consistent with the Comprehensive Plan and zoning. Unique circumstances include proximity to Poplar Lake, a lake with an undeveloped shoreline and no developed riparian properties. Municipal sanitary sewer and water are available. Development will not negatively impact the lake.

Lot sizes on Sherwood range from 0.76 acres to 1.45 acres with wetland present on some properties. Tract B has sufficient upland area for a home. The subdivision is consistent with the development pattern to the east and does not impact the character of the neighborhood.

Notices were sent to area property owners. Two comments were received in support of the proposal. One person expressed concerns about drainage from Tract A. Staff is looking into the question regarding the legal description. No future development is planned for this area.

The Department of Public Works reviewed the application and provided comments regarding city utility services, drainage and utility easements; and access on Sherwood Road, a county roadway.

Staff supports the proposal which is consistent with the City's Comprehensive Plan. Practical difficulty does exist and the variances are justified. Staff recommends approval of the variances and that the Commission forward the subdivision application with approved variances to the City Council for approval of the minor subdivision.

MOTION: by Commissioner Schumer, seconded by Commissioner Thompson to adopt Resolution 15-97, approving the following variances:

- 1) To reduce the minimum 40,000 square foot lot area required to 28,749.6 square feet for Tract B.
- 2) To reduce the minimum 125 foot lot width required to 115 feet for Tract B and 34.99 feet for Tract A.

And to approve the minor subdivision request to subdivide the property into two parcels creating a new parcel for single-family residential use subject to the following conditions:

Variance

- 1. This approval is subject to the City Council's approval of the Minor Subdivision.
- 2. This approval will expire after one year if the subdivision has not been recorded with Ramsey County.
- 3. The approval is subject to a 5 day appeal period.

Minor Subdivision

- 1. Approval of the minor subdivision is contingent upon approval the lot width variances for Tracts A and B and lot area variance for Tract B.
- 2. The minor subdivision shall be in accordance with the plans submitted. The applicant shall pay a Public Recreation Use Dedication fee as required by Section 204.020 of the Development Regulations before the City will endorse deeds for recording. The fee will be 4% of the fair market value of the property, with credit given for the existing residence.
- 3. Public drainage and utility easements shall be dedicated to the City as required by the Public Works Director. The applicant shall be responsible for providing legal descriptions for all required easements. Easements shall be conveyed before the City will endorse deeds for recording.
- 4. Municipal water and sanitary sewer service shall be provided to the resulting Tract B.
- 5. Items identified by the City Engineer in his memo shall be addressed as specified.
- 6. The applicants shall enter into a Subdivision Agreement with the City. This agreement shall be executed prior to the City's release of the deeds for recording.
- 7. Tree removal requires replacement trees per City Code. City requirements for the tree removal and protection plan shall be detailed in the Development Agreement.
- 8. While Tract B appears to contain sufficient land area for single-family residential use, a front yard structure setback variance will be needed since the required setback for this parcel is determined by a setback average which utilizes the structure setback of the home on Tract A. Approval of the subdivision does not bind the City or guarantee approval of a future variance.
- 9. This approval shall expire after one year if the subdivision has not been recorded with Ramsey County

This approval is based on the following findings of fact:

1. The proposed residential use is consistent with the policies of the Comprehensive Plan, including the Land Use and Housing Chapters.

- 2. Development will not have a negative impact on Poplar Lake due to the distance from the lake and proximity to the open space. Municipal sanitary sewer and water is required for a new home on Tract B.
- 3. Practical difficulty for the variance is present as stated in Resolution 15-97.
- 4. The requested variances meet the spirit and intent of the development regulations by creating a parcel that is of sufficient size to support a residential uses.

Discussion:

Commissioner Peterson stated that he supports this motion but anticipates a number of issues with development.

Commissioner McCool expressed some concern about buildable area, but likes the idea of creating additional land for development.

VOTE: Ayes - 7 Nays - 0

<u>PUBLIC HEARING - CONDITIONAL USE PERMIT/SITE AND BUILDING PLAN</u> REVIEW*

FILE NO: 2596-15-39

APPLICANT: JEFF JENSEN-MINNESOTA VETERINARY HOSPITAL

LOCATION: 4545 HODGSON ROAD

Presentation by City Planner Kathleen Castle

The application is to build a 6-foot tall wooden privacy fence on the north side of the property to create an enclosed outdoor animal exercise area. An amendment to the existing Conditional Use Permit and Site and Building Plan Review is required. The property is developed with a 5,000 square foot veterinary clinic and indoor kennel boarding facility. Access would be from Hodgson Road and Bridge Court with off-street parking. Natural turf will be replaced with artificial turf, which will wear longer.

The property is zoned O, Office. The applicant has a conditional use permit to operate a kennel on the property. An amendment is needed to the existing Conditional Use Permit (CUP) that permits the kennel to allow outside exercise space. Dogs are walked on the west side of the property. Use of the exercise area will be limited to dogs boarded or treated at the clinic. The applicant states that the outdoor exercise area will better serve clients and improve safety for animals and employees. The artificial turf planned will wear better than natural turf. No modifications are permitted to the exterior of the site with the exception of animal exercise.

Staff finds that the proposed fence complies with Office district standards. It will have visual impact, which is a concern due to the proximity of Highway 96 and Hodgson Road. Staff is recommending a 10-foot setback from Highway 96 to provide room for landscaping to soften the appearance of the fence. The request is consistent with the Comprehensive Plan. The property is located in Policy Development Area (PDA) No. 10, which addresses future development, traffic

impacts, pedestrian connections and any impact to nearby single-family neighborhoods. The proposal is consistent with the Comprehensive Plan. Staff is recommending approval with the conditions listed regarding operations, noise, and waste management.

Legal notice for the CUP was published in the City's legal newspaper, and property owners within 350 feet were notified of the application. One comment was received in support of the proposal. Ramsey County and the City Engineer have expressed no concerns with the application.

Approval shall include a 10-foot setback from Hodgson Road for landscaping. No signage shall be permitted on the fence, and the fence shall be maintained per Code. The fence must be removed upon expiration of the CUP or change in use on the property.

City Attorney Kelly stated that proper notice has been published for the public hearing for the Conditional Use Permit.

Commission Discussion:

Commissioner Peterson asked if the artificial turf will impact trees in the area. Ms. Castle explained that the artificial turf provides drainage, which means moisture will infiltrate into the soil. There would be no negative impact to trees.

Commissioner McCool asked about the applicant's concerns with the 10-foot setback. Ms. Castle responded that the concern is that the exercise area might be too small. There has been some discussion about expanding the exercise area further north.

Commissioner Ferrington asked the impact of the 10-foot setback. She suggested that there are hedge plantings for landscaping that would not need a 10-foot setback and perhaps a 5-foot setback could be used. **Mr. Jeff Jensen**, Applicant, stated that he staked the area for installation of 50 feet by 50 feet pieces of turf. A 5-foot setback would definitely help. The purpose of the project is to create an enclosed exercise space as large as possible where dogs can be off the leash. A gate will be put on the west side. He wants to be sure the fence is attractive to the business.

Chair Solomonson noted that this property is a high visibility area and asked if there could be restrictions as to the material used for the fence. Ms. Castle stated that Code does not address types of material to use for the fence. The proposed wooden fence is permitted.

Commissioner Doan asked if there was a square footage goal for the size of this outdoor space. **Mr. Jensen** stated that he would prefer to extend the fence straight from the building rather than angle it for the 10-foot setback. There are trees within the enclosure that are of concern and hang over the building. Ms. Castle responded that landmark trees cannot be removed unless diseased.

MOTION: by Commissioner Schumer, seconded by Commissioner McCool to close the public hearing at 9:08 p.m.

VOTE: Ayes - 7 Nays - 0

Commissioner Ferrington stated that this is a reasonable request from a long-time hometown business that she would like to support. Adjusting to a 5-foot setback is reasonable and would provide more area for the dogs.

Commissioner McCool agreed with a 5-foot setback to make the exercise area as large as possible. He would like to see a condition added to finalize the site plan once the design is complete.

Chair Solomonson also agreed with a 5-foot setback. He explained that the reason he questioned the material of the fence is that cedar takes a lot of maintenance and is not as sturdy as other types of fences.

MOTION: by Commissioner Schumer, seconded by Commissioner McCool to recommend the Planning Commission recommend to the City Council approval of the Site and Building Plan Review and Conditional Use Permit for the Minnesota Veterinary Hospital, 4545 Hodgson Road subject to the following conditions, and with amendment to condition No. 3 of the Site Plan Review for a 5-foot setback from Highway 96 rather than the stated 10-foot setback.

Site and Building Plan Review

- 1. This approval permits the installation of a 6-foot tall wooden privacy fence for an outdoor animal exercise area located on the north side of the hospital/kennel building as identified on the approved plans.
- 2. The installation of the fence shall not result in the removal of any landmark trees on the property.
- 3. The fence shall maintain a minimum setback of 10 feet from Hodgson Road to provide an area for landscaping. A landscape plan shall be submitted for City review and approval prior to the issuance of a fence permit.
- 4. No signage is permitted on the fence.
- 5. A fence permit is required to install the proposed 6-foot tall fence. This fence shall be constructed and maintained in accordance with Section 205.040 (C)(9).

Conditional Use Permit

- 1. This permit amends the existing Conditional Use Permit for the indoor kennel facility, Minnesota Veterinary Hospital, as authorized in Resolution 02-11. This amendment permits an outdoor exercise area located on the north side of the hospital/kennel building.
- 2. Conditions as identified in Resolution 02-11 shall remain in effect. Condition No. 4 shall be amended to read:

The owners must comply with the management plan for the facility, including the outdoor exercise area. Animal waste that occurs outside the facility shall be picked up and disposed of daily. The owners must comply with Section 601.030 (D) and 209.020 (B)(8) regarding noise and Section 601.030 (E) regarding waste. The exterior of the site shall be maintained in accordance with Section 211, Property Maintenance Standards.

- 3. The outdoor exercise area shall be enclosed with a 6-foot tall wooden privacy fence. This fence shall be constructed and maintained in accordance with Section 205.040 (C)(9).
- 4. Artificial turf is permitted for the outdoor exercise area provided it is maintained in accordance with the manufacturer's specifications and Section 211, Property Maintenance Standards.
- 5. Use of the outdoor exercise area shall be restricted to canines receiving care at the Veterinary Hospital or being boarded in the kennel facility.
- 6. Use of the outdoor exercise area shall be managed and operated in accordance with the information submitted as part of the conditional use permit application.
- 7. The fence and outdoor exercise area shall be removed upon the expiration of the conditional use permit and/or a change in use on this property.

Approval is based on the following findings.

- 1. The property is zoned O, Office which allows veterinary hospitals as a permitted use and indoor kennels as a conditional use.
- 2. The land use complies with the designated land use (Office) of the Comprehensive Plan and policies of PDA #10. The proposed outdoor exercise area for the canines will not affect nearby residential uses, traffic or pedestrian connections.
- 3. The outdoor exercise area is consistent with the standards required for an indoor kennel, Section 205.044 (C)(3).

Discussion:

AMENDMENT: by Commissioner McCool, seconded by Commissioner Ferrington to add condition No. 6 under the Site and Building Plan Review to state that the applicant shall submit a plan showing the final design of the fence for review and approval by City staff prior to installation of the fence."

VOTE ON AMENDMENT: Ayes - 7 Nays - 0

SECOND AMENDMENT TO AMENDED MOTION: by Commissioner Doan, seconded by Commissioner Ferrington to condition No. 3 that the setback of 5 feet in lieu of 10 feet from Hodgson Road to provide for an area for landscaping, that a landscaping plan shall include screening vegetation of the fence and shall be submitted for City review and approval prior to the issuance of a fence permit.

VOTE ON SECOND AMENDMENT TO AMENDED MOTION:

Ayes - 7 Nays - 0

Chair Solomonson called a 10-minute break and then reconvened the meeting.

MISCELLANEOUS

Discussion - Accessory Structure Regulations

Ms. Castle stated that based on previous discussions with the Planning Commission, staff has made an effort to simplify the City Code on accessory structures and clarify the requirements using a table format rather than text explanation. Recommended changes by the Planning Commission are incorporated in the table format.

Chair Solomonson expressed his support for the changes and the table format which makes the information much clearer. He asked if the right levels are being used for the tier system.

Commissioner Ferrington stated that the result is a code that is less restrictive for a greater number of properties in Shoreview. For example, for 0.4 acre 415 parcels would qualify in that category while a cutoff at 0.5 acre qualifies 792 parcels. At each tier the number of qualifying parcels is approximately double. She noted that a 10-foot setback might be difficult for long narrow lake lots. She agreed that the one-half acre tier limit makes sense and supports this tier approach.

Commissioner Peterson responded that rather than looking at the number of properties impacted, he looks at the issues of visual impact, mass and scale in neighborhoods. He is satisfied with the tier level of 0.5 acre rather than 0.4 acre.

Chair Solomonson stated that in looking at neighborhoods, only a few properties in some Victoria Street areas are impacted at the tier level of 0.5 acre. At 0.4 acre, almost all properties are impacted. Then the question becomes whether certain accessory structures are allowed on a few lots or allowed consistently through the neighborhood. He believes that 0.4 would allow more benefit. It also depends on the configuration of lots. He expressed his support for the changes to the Cod and the table format which makes the information clearer.

Commissioner McCool stated that the goal is to set appropriate limits to alleviate the number of variances requested. He believes one-half acre increments make sense. He emphasized Attorney Kelly's comment that when the maximum limits saying whichever is more restrictive is noteworthy.

Commissioner Doan stated that front setback requirements are not stipulated. Mr. Warwick stated that front setbacks are for riparian lots, so that accessory structures could be placed on the street side rather than the lake side. Commissioner Doan referred to page 205-42 and asked how the 5-foot and 10-foot setbacks are applied in the one-half acre to one acre tier. Ms. Hill responded that a standard detached garage requires only a 5-foot setback.

The Planning Commission will jointly meet with the City Council to present the Code amendments on accessory structures in the proposed table format.

City Council Assignments

Commissioners Schumer and Peterson will respectively attend the City Council meetings for November 2nd and November 16th, 2015.

Commissioners Solomonson and McCool will respectively attend the December 7th and December 21st, 2015 City Council meetings.

Workshop Meeting

The next Planning Commission workshop meeting is at 6:00 p.m., immediately prior to the scheduled meeting at 7:00 p.m. on November 17, 2015.

ADJOURNMENT

ADJOURN	IVIII/I I		
MOTION:	by Commissioner Schumer, seconded by Commissioner McCool to adjourn the meeting at 9:50 p.m.		
VOTE:	Ayes - 6	Nays - 0	
ATTEST:			
Kathleen Car City Planner			